

ALAN R. PLUTZIK (SBN 077785)
 BRAMSON, PLUTZIK, MAHLER
 & BIRKHAEUSER, LLP
 2125 Oak Grove Rd., Suite 120
 Walnut Creek, CA 94598
 Tel: 925-945-0200; Fax: 925-945-8792
 aplutzik@bramsonplutzik.com

One of Counsel for Plaintiffs in No. 06-1221 (RS)
 [Other counsel for pltfs listed on signature page]

JENELLE WELLING (SBN 209480)
 CHARLES D. MARSHALL (SBN 23644)
 GREEN WELLING LLP
 595 Market Street, Suite 2750
 San Francisco, CA 94105
 Tel: 415-477-6700; Fax: 415-477-6710
 cand.uscourts@classcounsel.com

Counsel for Plaintiffs in No. 06-2254 (RMW)

HOWARD HOLDERNESS (SBN 169814)
 THOMAS R. GREEN (SBN 203480)
 MORGAN, LEWIS & BOCKIUS LLP
 One Market, Spear Street Tower
 San Francisco, CA 94105
 Tel: 415-442-1000; Fax: 415-442-1001
 hholderness@morganlewis.com
 tgreen@morganlewis.com

JOHN F. SCHULTZ (*pro hac vice*)
 BARRY L. McCOY (*pro hac vice*)
 MORGAN, LEWIS & BOCKIUS LLP
 1701 Market Street
 Philadelphia, PA 19103
 Tel: 215-963-5000; Fax: 215-963-5001
 john.schultz@morganlewis.com
 bmccoy@morganlewis.com

*Counsel for Defendant Hewlett-Packard Company
 in Nos. 06-1221 (RS) and 06-2254 (RMW)*

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

E-FILED - 12/12/07

Michael Brothers *et al*, on behalf of themselves
 and all others similarly situated,

Plaintiffs,

v.

Hewlett-Packard Company,

Defendant.

Case No. 06-2254 (RMW)

**STIPULATION AND XXXXXXXXXX ORDER
 re. CONSOLIDATION & REASSIGNMENT
 FOR SETTLEMENT PURPOSES**

Date: October 26, 2007
 Time: 9:00 a.m.
 Before: The Honorable Ronald M. Whyte

In re Hewlett-Packard Co. Power Plug Litigation

Case No. 06-1221 (RS)

WHEREAS the parties and their counsel in each of the above-captioned two cases, *In re Hewlett-Packard Co. Power Plug Litig.*, No. 06-1221 (RS) (the "Power Plug Lawsuit") and *Brothers et al. v.*

1 *Hewlett-Packard Co.*, No. 06-2254 (RMW) (the “Brothers Lawsuit”), have entered into a Stipulation of
2 Settlement detailing a proposed settlement (the “Settlement”) that covers both cases; and

3 WHEREAS the Power Plug Lawsuit and the Brothers Lawsuit are pending before two different
4 judges; and

5 WHEREAS it would enhance judicial efficiency if all proceedings pertaining to the Settlement
6 were to occur under the auspices of a single judge;

7 THEREFORE, the parties to the Power Plug Lawsuit and the Brothers Lawsuit stipulate as follows
8 and request that the Courts enter the subjoined order:

9 1. For purposes of approving and effectuating the Settlement only, the Power Plug Lawsuit
10 and Brothers Lawsuit are consolidated pursuant to Local Civil Rule 3-12(a). The case so consolidated is
11 assigned to Judge Whyte and shall bear the following caption and case number:

12
13 In re: HP Power Plug and
14 Graphic Card Litigation

Case No. 06-2254 (RMW)

15
16 2. All papers to be filed and all proceedings to be had relating to the Settlement shall be
17 under this caption and case number.

18 3. In the event the Stipulation of Settlement is terminated pursuant to its terms, or the
19 Effective Date¹ for any reason does not occur, the subjoined order consolidating the Power Plug Lawsuit
20 and the Brothers Lawsuit shall be automatically vacated upon notice of the same to the Court, and both
21 cases will proceed independently before Judges Seeborg and Whyte, respectively, and will return to the
22 procedural status quo that existed prior to the entry of this order consolidating the cases for purposes of
23 settlement.

24 4. The parties request that the Courts enter the order below. Notice of presentation is
25 waived.

26
27 ¹ Capitalized terms have the same meaning as in the Stipulation of Settlement.

1 Dated: October 22, 2007.

2
3 BRAMSON, PLUTZIK, MAHLER
& BIRKHAUSER, LLP

4 By: /s/ Alan Plutzik (SBN 077785)

5 Thomas D. Mauriello (SBN 144811)
6 LAW OFFICES OF THOMAS D. MAURIELLO

7 *Co-Liaison Counsel for Pltfs in No. 06-1221 (RS)*

8
9 Scott Kamber
KAMBER & ASSOCIATES, LLC

10
11 Antonio Vozzolo
FARUQI & FARUQI LLP

12 Clifford Cantor
13 LAW OFFICES OF
14 CLIFFORD A. CANTOR, P.C.

15 *Co-Lead Counsel for Pltfs in No. 06-1221 (RS)*

16 * * *

17 GREEN WELLING LLP

18 By: /s/Charles Marshall
19 Jenelle Welling (SBN 209480)
Charles D. Marshall (SBN 23644)

20 *Counsel for Plaintiffs in No. 06-2254 (RMW)*

XXXXXXXXXXXX ORDER

IT IS SO ORDERED.

Dated 10/24, 2007.

/s/ Richard Seeborg

HON. RICHARD SEEBORG
UNITED STATES MAGISTRATE JUDGE

Ronald M. Whyte

HON. RONALD M. WHYTE
UNITED STATES DISTRICT JUDGE